

U.S. Patent Application Serial No. 10/593,911
Response to March 4, 2010 Office Action
Page 20 of 21

Attorney Docket No.: A33-013US

REMARKS

I. Claim Status.

Claims 1, 2, 4-11, and 23-25 are pending in the application.

Claims 1, 2, 4-11, and 23-25 have been rejected as being indefinite under 35

U.S.C. § 112, ¶ 2.

Claims 1, 2, 4-9, and 11 have also been rejected as being nonenabled under 35

U.S.C. § 112, ¶ 1 for compounds where R⁶ is M.

II. The Claims As Amended Are Enabled and Definite.

Claims 1, 4, 8, 9, 10, 23, and 25 have been amended in accordance with the March 4, 2010 Office Action to obviate the Examiner's indefiniteness rejections.

The term "salt, ester, salt of an ester stereoisomer, enantiomer, isotope, or tautomer" has been substituted for "derivative" in claims 1, 23, and 25. Support for these amendments is found in the application as originally filed, e.g. at paragraphs 33-35 and 75.

The other claim terms that were cited by the Examiner as the bases of his indefiniteness rejections have also been deleted from the pending claims.

Claim 10 has been amended to specifically recite the structures and related substituents for compounds of formulae III 13-18 and IV 13-18. See Tables 1 and 2 at pages 21-22 of the application as originally filed.

Claims 1 and 4 have been amended to delete "M" from the list of R⁶ substituents, thereby overcoming the Examiner's enablement rejections.

Accordingly, Applicants respectfully maintain that each of claims 1, 2, 4-11, and 23-25 as amended herein are patentable and in a condition for allowance. Applicant respectfully requests that each of those claims be passed to issue.

The Examiner is cordially requested to call the undersigned attorney if the Examiner believes that a telephonic discussion may materially advance the prosecution of the instant application in any way.

U.S. Patent Application Serial No. 10/593,911
Response to March 4, 2010 Office Action
Page 21 of 21

Attorney Docket No.: A33-013US

An authorization to charge Deposit Account 04-0838 for all fees due in connection with this response is filed simultaneously herewith.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

By: 

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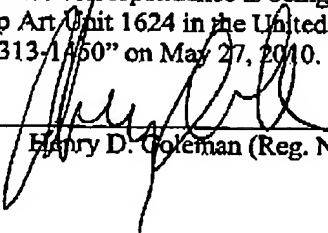
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Dated: May 26, 2010

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Certificate of Mailing

I hereby certify that this correspondence is being sent by facsimile to Examiner Brian E. McDowell in Group Art Unit 1624 in the United States Patent Office, P.O. Box 1450, Alexandria, VA 22313-1450 on May 27, 2010.


Henry D. Coleman (Reg. No. 32,559)